

Message Text

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ACTION EB-11

INFO OCT-01 EA-11 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

DOT-00 INR-11 NSAE-00 RSC-01 FAA-00 L-03 SSO-00

INRE-00 SS-20 NSC-07 NSCE-00 DRC-01 /075 W

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC NIACT IMMEDIATE 5796

C O N F I D E N T I A L MANILA 9332

E.O. 11652: GDS

TAGS: EAIR, RP

SUBJECT: CIVAIR - BILATERAL NEGOTIATIONS

REF: STATE 170102

1. I HAVE FOLLOWED INTENSELY THE CIVIL AIR NEGOTIATIONS WHICH HAVE BEEN IN TRAIN FOR THE PAST TWO WEEKS BETWEEN THE U.S. AND THE PHILIPPINES, BUT UP TO THIS POINT HAVE REFRAINED FROM INJECTING MYSELF INTO THEM. AS RESULT OF LATEST INSTRUCTION CONTAINED REFTTEL, I CAN NO LONGER RESTRAIN MY SENSE OF EXASPERATION.

2. THIS EXASPERATION REFLECTS MY INDIGNATION THAT OUR TWO GOVERNMENTS HAVE BEEN DRAGGED INTO A SORDID LEVEL OF HAGGLING WHICH, AT LEAST AS FAR AS THE UNITED STATES GOVERNMENT IS CONCERNED, FALLS WELL BENEATH THE DIGNITY AND GOOD FAITH WHICH OUGHT TO CHARACTERIZE OUR DIPLOMACY. BOTH GOVERNMENTS HAVE BEEN EXPLOITED BY THEIR RESPECTIVE CARRIERS TO ASSUME AND RENEGE UPON POSITIONS IN A MANNER WHICH I EXPECT THE CARRIERS THEMSELVES WOULD FIND OFFENSIVE IF THEY HAD TO NEGOTIATE FACE TO FACE RATHER THAN THROUGH THE INSULATION OF THEIR GOVERNMENTS.

3. THE LATEST INSTRUCTION IS A CASE IN POINT. THE EMBASSY EXCEPTION OF ONE WORD, IS A U.S. DRAFT. THAT ONE WORD IS CONFIDENTIAL

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THE SUBSTITUTION OF "SYMPATHETIC" FOR "FAVORABLE" IN

DESCRIBING THE CONSIDERATION OUR CARGO CARRIERS MAY EXPECT FROM THE PHIL CAB. IN THE COURSE OF THESE TIRESOME NEGOTIATIONS, WHEN THE PHILS WERE SEEKING "FAVORABLE" CONSIDERATION FROM THE USCAB, THE EMBASSY WAS INSTRUCTED TO PRESS FOR THE WORD "SYMPATHETIC" AND TO EXPLAIN AT SOME LENGTH THAT THERE WAS NO DIFFERENCE BETWEEN THE TWO.

4. NOW, HOWEVER, BECAUSE OF THAT ONE WORD CHANGE, OUR LATEST "INSTRUCTION" IS TO SUBMIT AN AIDE MEMOIRE WHEN WE SIGN THE EXCHANGE OF NOTES WHICH WOULD, IN EFFECT, GIVE US A VETO OVER THE NATURE OF PHILIPPINE CAB CONSIDERATION OF CARGO CARRIER APPLICATIONS. I REGARD THIS INSTRUCTION AS ALTOGETHER TOO "CUTE" FOR THE U.S. GOVERNMENT TO BE ASSOCIATED WITH, AND DECLINE TO LET ANY EMBASSY UNDER MY DIRECTION ENGAGE IN SUCH SHARP PRACTICES.

5. INSTEAD, I HAVE REVISED THE AID-MEMOIRE TO REFLECT HONESTLY WHAT TRANSPIRED IN THE NEGOTIATIONS, AND WILL, UNLESS DIRECTLY INSTRUCTED TO THE CONTRARY, SEND IT AS WELL AS THE SIGNED NOTE, TO THE PHILIPPINE DEPARTMENT OF FOREIGN AFFAIRS PRIOR TO 10:00 A.M. MANILA TIME, WEDNESDAY, AUGUST 7, WHEN I HAVE AN APPOINTMENT ON OTHER MATTERS WITH PRESIDENT MARCOS.

6. THE REVISION OF THE AIDE-MEMOIRE WILL BE MADE IN ITS FIRST PARAGRAPH, WHICH WILL THEN READ AS FOLLOWS:

"IN CONNECTION WITH THE EXCHANGE OF NOTES CONCLUDED THIS DATE COVERING INTERIM ARRANGEMENTS FOR AIR TRANSPORT SERVICES, IT IS THE UNDERSTANDING OF THE UNITED STATES GOVERNMENT THAT THE INTENT OF THIS EXCHANGE OF NOTES IS INTER ALIA TO INSURE THAT THE CONTINUANCE OF ALL-CARGO SERVICES NOW OPERATED BY UNITED STATES CARRIERS ON AUTHORIZED ROUTES SHALL BE A SUBJECT FOR NEGOTIATION BETWEEN THE TWO GOVERNMENTS IN THE TALKS WHICH THEY HAVE AGREED WILL COMMENCE WITHIN NINETY DAYS OF TODAY'S DATE."
SULLIVAN

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Message Attributes

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